

REMARKS

By this Amendment, Claims 1, 8, 15 and 23 have been amended. Claims 1, 3-10, 12-17 and 19-23 remain pending in this application. Favorable reconsideration of the application is respectfully requested.

Claims 1, and 3-7 were rejected as being indefinite for not positively reciting the optical lens. Claim 1 has been amended to positively recite the optical lens, and it is believed that the rejection on the grounds of indefiniteness can now be withdrawn. Claims 8 and 23 have also been amended to positively recite the optical lens, to more particularly point out and distinctly claim the invention.

Claims 1, 3-10, 12-17 and 19-23 were rejected as obvious from Aulgur, et al. in view of Eros MAGIC quick-donning mask and Schwab. Schwab was cited as teaching a mask with a flexible optical lens which is foldable, and better stowage capability.

Schwab discloses a gas mask comprising a metal facepiece 30 having glass eyepieces 47 and roll 43 of flexible transparent sheet material, as to which cellulose acetate and "Pliofilm" are given as examples. The roll of flexible transparent sheet material is described at page 3, column 1, lines 27-31 of Schwab. It is clear from this passage and a complete reading of Schwab that Schwab teaches a non-foldable mask, with non-foldable, non-flexible eyepieces. The roll of flexible transparent sheet material is clearly not "a flexible optical lens." This is also evident from examination of Figures 3, 4 and 6 of Schwab, illustrating the glass eyepieces

and roll of sheet material. From Figure 6 of Schwab, it is clear that the roll of flexible transparent sheet material is not a flexible optical lens.

Claim 1 recites, "a flexible optical lens disposed in said flexible face seal, said flexible face seal having means for mounting said flexible optical lens in a region of the mask adapted to overlie the eyes of the wearer, said flexible optical lens surrounded by said face seal." Similarly, Claim 8 recites "a flexible optical lens," and "said oxygen mask being capable, by virtue of the flexible optical lens and flexible face seal, of being rolled into a relatively small volume for storage on the flight deck of an aircraft." Claim 22 recites, "a flexible optical lens disposed in said flexible face seal," and Claim 23 recites, "a flexible optical lens disposed within said flexible face seal."

Schwab does not teach, disclose, suggest, or provide any incentive for provision of a flexible optical lens that can be deflected to conform to a wearer's face as is illustrated in Fig. 7 of the application for example, and as is described in the specification at page 9 line 24 to page 10 line 23, page 10 line 34 to page 11 line 1, and page 11, lines 5-25. The optical quality of the flexible lens of the present invention, and the importance that the flexible lens have sufficient optical quality to function similarly to rigid and semi-rigid lenses of prior art masks, is discussed in the specification at page 12 line 15 to page 13 line 11. The roll of sheet material of Schwab clearly does not meet the requirements of the invention for an optical quality flexible lens. Furthermore, the flexible sheet material of Schwab is simply unrolled

into a planar sheet covering the glass eyepieces. Schwab does not teach, disclose, suggest, or provide any incentive for provision of a flexible optical lens that can be deflected or rolled for storage, as is claimed, and as is described in the specification at page 9, lines 9-23 with reference to Fig. 3.

Furthermore, Claim 15 recites an oxygen mask comprising "a combination face seal and flexible optical lens molded as a single unit," which is not taught by any of the references cited. It is therefore respectfully submitted that the rejection of the claims on the grounds of obviousness should be withdrawn.

Applicant has reviewed the further references cited but not applied, and it is believed that these references are no more pertinent than the references applied. Figgiani et al. discloses a transparent visor 25 for a swim and snorkel mask. The cellulosic window piece 2 of Wagner is a flexible transparent cellulosic sheet material similar to that of Schwab. Swann discloses a transparent hood 34 shown in Figure 2 as having the form of a plastic bag fitting loosely over the head of a wearer, and is described at column 7, lines 30-34 as being "formed of a clear, heat-resistant plastic material of such characteristics that it does not impede the passage of sound and thus allows two-way communication." The permanent viewing lens 16 of Wiseman, Sr. is disclosed as being formed of polycarbonate sheet, commonly known as a rigid or semi-rigid material.

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In light of the foregoing, it is respectfully submitted that the application is in condition for allowance. An early favorable action is respectfully solicited.

Respectfully submitted,

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